



## FREEDOM IN THE WORLD 2020

# Ukraine

PARTLY FREE

**62**  
/100

<u>Political Rights</u>	<b>27</b> /40
<u>Civil Liberties</u>	<b>35</b> /60

### LAST YEAR'S SCORE & STATUS

**60** /100 **Partly Free**

Global freedom statuses are calculated on a weighted scale. [See the methodology.](#)



# Note

The numerical ratings and status listed above do not reflect conditions in the occupied Ukrainian territories of Crimea and Eastern Donbas, which are examined in separate reports. *Freedom in the World* country reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are affected by the state, nonstate actors, or foreign powers. Disputed territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report [methodology](#) and [FAQ](#).

## Overview

Ukraine has enacted a number of positive reforms since the protest-driven ouster of President Viktor Yanukovich in 2014. However, corruption remains endemic, and initiatives to combat it are only partially implemented. Attacks against journalists, civil society activists, and members of minority groups are frequent, and police responses are often inadequate. Russia occupies the autonomous Ukrainian region of Crimea, which it invaded in the aftermath of Yanukovich's ouster, and its military supports armed separatists in the eastern Donbas area.

## Key Developments in 2019

- Volodymyr Zelenskyy, a comedian with no previous political experience, was elected president in April, defeating incumbent president Petro Poroshenko in a runoff with 73.2 percent of the vote. In July's parliamentary elections, President Zelenskyy's new Servant of the People party took an absolute majority of seats, defeating the incumbent European Solidarity grouping. Polling could not take place in Crimea and separatist-held parts of Donbas, and notable irregularities were reported in the parliamentary polls. However, both elections were considered generally competitive and credible.

- The new government began working to implement long-awaited reforms upon being seated, including changes to the electoral system that were implemented in December. At year's end, work was continuing on a law that would finally permit the sale of agricultural land.
- Attacks and harassment against journalists, activists, and minority groups including the Romany population and LGBT+ people continued.
- A new High Anti-Corruption Court began operations in September, but had yet to produce convictions at year's end.

# Political Rights

## A. Electoral Process

**A1** 0-4 pts

**Was the current head of government or other chief national authority elected through free and fair elections?**

**4/4**

The president is directly elected for a maximum of two five-year terms. In the 2019 election, held in two rounds in March and April, Volodymyr Zelenskyy defeated incumbent president Petro Poroshenko with 73.2 percent of the second-round vote, winning a majority of votes in all but one Ukrainian region. International observers deemed the vote competitive and credible, although polling could not take place in Crimea and separatist-held parts of Donbas.

**A2** 0-4 pts

**Were the current national legislative representatives elected through free and fair elections?**

**3/4**

The 450 members of the unicameral Supreme Council, or Verkhovna Rada, have been elected to five-year terms through a mixed system in which half of the members are chosen by closed-list proportional representation and the other half in single-member

districts. Future elections will be held under a new system approved in December 2019.

In early elections held in July 2019, President Zelenskyy's Servant of the People party won 254 seats, giving them an outright majority—the first time since independence any party had crossed that threshold. The incumbent Poroshenko bloc, which had rebranded in May as European Solidarity, took just 25 seats. The Opposition Platform–For Life grouping took 43 seats, Fatherland 26, and the Voice Party 20.

The elections were deemed generally competitive and credible, despite some problems. Voting was again impossible in Crimea and separatist-held parts of Donbas. Consequently, the elections filled only 424 of the 450 seats. Additionally, approximately 1 million Ukrainian citizens are unable to vote because they do not have a registered address. An Organization for Security and Co-operation in Europe (OSCE) election monitoring mission cited some irregularities, including “widespread vote-buying, misuse of incumbency, and the practice of exploiting all possible legislative loopholes” that contributed to inequalities among competitors.

**A3** 0-4 pts

<b>Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?</b>	<b>2/4</b>
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The mixed electoral system for the parliament that has governed past polls, including those in 2019, has been criticized as prone to manipulation and vote-buying. President Zelenskyy attempted reforms that would have introduced an entirely party list-based system prior to the 2019 parliamentary election, but could not garner enough support in the parliament. However, in December, the new parliament adopted an electoral law that partially implemented a proportional representation voting system, with open party lists for both parliamentary and local elections, and Zelenskyy enacted it at the end of the year.

Election monitors have expressed concern about courts' varying interpretations of electoral laws when faced with complaints regarding candidate registration and other

topics, as well as about long delays in the adjudication of election-related cases. New electoral laws have sometimes been adopted in haste shortly before voting.

## B. Political Pluralism and Participation

**B1** 0-4 pts

**Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?**

**3/4**

With the exception of a ban on the Communist Party, there are no formal barriers to the creation and operation of political parties. New political parties organize frequently. A law that came into force in 2016 provides parliamentary parties with state funding, but the provision effectively favors established parties over newcomers.

**B2** 0-4 pts

**Is there a realistic opportunity for the opposition to increase its support or gain power through elections?**

**4/4**

Ukrainian politics feature dynamic competition among parties. Opposition groups are represented in the parliament, and their political activities are generally not impeded by administrative restrictions or legal harassment. Generally, grassroots parties have difficulty competing with more established parties that enjoy the support and financial backing of politically connected business magnates, known as oligarchs.

In the second election round held in April 2019, Zelenskyy won the presidency by a large margin, defeating incumbent president Poroshenko. In July's elections, President Zelenskyy's new Servant of the People party took an absolute majority of seats in the Rada, defeating the incumbent European Solidarity grouping.

*Score Change: The score improved from 3 to 4 because new parties opposed to the incumbent party gained power in the year's presidential and parliamentary elections.*

**B3** 0-4 pts

<b>Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?</b>	<b>2/4</b>
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Russian influence in Ukrainian politics has continued to decline since Yanukovych's ouster, though Moscow retains influence in some eastern and southern regions where the Opposition Platform–For Life, a successor to Yanukovych's Party of Regions, performed well in the 2019 parliamentary election.

Ukraine's oligarchs exert significant influence over politics through their financial support for various political parties.

**B4** 0-4 pts

<b>Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities?</b>	<b>3/4</b>
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There are no formal restrictions on the participation of women and members of minority groups in political life. However, their voting and representation are hindered by factors including discrimination that discourages their political participation, the conflict in the east, lack of identity documents for many Roma, and rules against running as an independent for many local, district, and regional offices. Internally displaced persons (IDPs), of which there are over 1.5 million, face legal and practical barriers to voting. Societal discrimination against LGBT+ people affects their ability to engage in political and electoral processes.

The Law on Local Elections mandates a 30 percent quota for women on party lists, but it is not effectively enforced. A record number of women were elected to the

parliament in 2019, bringing the number of women parliamentarians to 87, though this amounts to only 20 percent of all seats.

## C. Functioning of Government

**C1** 0-4 pts

**Do the freely elected head of government and national legislative representatives determine the policies of the government?**

**3/4**

Elected officials craft and implement reforms, though the process is ongoing and many initiatives stall due to opposition from powerful business groups and other special interests. The main obstacle to effective governance in government-controlled parts of Ukraine is corruption.

**C2** 0-4 pts

**Are safeguards against official corruption strong and effective?**

**1/4**

Corruption remains a serious problem, and there is little political will to fight it despite strong pressure from civil society. Anticorruption agencies have repeatedly been ensnared in politically fraught conflicts with other state entities and elected officials. A new High Anti-Corruption Court began to operate in September 2019, but has yet to yield results.

**C3** 0-4 pts

**Does the government operate with openness and transparency?**

**2/4**

Ukraine has made some progress in advancing transparency, for example by requiring that banks publish the identity of their owners, and by passing a 2016 law obliging politicians and bureaucrats to file electronic declarations of their assets. However, it is



possible to bypass some regulations, in part because underdeveloped institutions are not fully capable of identifying and punishing violators.

A robust freedom of information law approved in 2011 is not well enforced.

## Civil Liberties

### D. Freedom of Expression and Belief

**D1** 0-4 pts

Are there free and independent media?	2/4
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The constitution guarantees freedoms of speech and expression, and libel is not a criminal offense. The media landscape features considerable pluralism, and open criticism of the government and investigation of powerful figures. However, business magnates own and influence many outlets, using them as tools to advance their agendas. President Zelenskyy has received significant support from media outlets controlled by banking magnate Igor Kolomoisky. Other parties also receive favorable coverage from “friendly” media. Zelenskyy at times has also refused to take reporters’ questions, and his staff has occasionally refused access to spaces journalists are legally permitted to enter.

Authorities in 2018 renewed existing measures that bar a number of Russian news outlets from Ukrainian distribution networks and prohibit their journalists from entering the country. Various language laws impose upon news outlets requirements that certain content be in the Ukrainian language. In 2019, the Ukrainian Supreme Court upheld regional bans on Russian-language “culture products,” including books and films.



Journalists continue to face the threat of violence and intimidation in 2019, and Ukraine's courts and law enforcement agents often fail to protect their rights. In May, Vadym Komarov, a journalist in the city of Cherkasy, was attacked with a hammer in broad daylight in the center of the city. Komarov fell into a coma, dying 40 days later without regaining consciousness. The case was classified by authorities as an attempted murder in connection with his journalistic work; at year's end the police had yet to publicly name suspects.

The independent Institute of Mass Information recorded 226 media-freedom violations from January to early December 2019, including Komarov's murder. Other violations included 20 beatings, 16 cyberattacks, 93 incidents of interference, 34 incidents of threats, and 21 cases of restricting access to public information.

Separately, in December, police arrested five suspects in the 2016 murder of journalist Pavel Sheremet, who was killed in a car bombing.

**D2** 0-4 pts

**Are individuals free to practice and express their religious faith or nonbelief in public and private?**

**3/4**

The constitution and a 1991 law define religious rights in Ukraine, and these are generally respected. However, smaller religious groups continue to report some discrimination. Vandalism of Jewish structures and cemeteries continues. Acknowledging one's atheism may result in discrimination.

In October 2018, Ukrainian Orthodox clerics received permission from religious authorities in Istanbul, the historical seat of the Eastern Orthodox Church, to create their own "autocephalous" church and remove it from the canonical jurisdiction of the Russian Orthodox Church. A new Orthodox Church of Ukraine was then formed in December to unite existing factions. The Kremlin and church leaders in Moscow strongly objected to the move, and Ukrainian officials said they anticipated provocations, including disputes over church property. However, tensions between the new Orthodox Church of Ukraine and the Ukrainian branch of the Russian

Orthodox Church have decreased since Poroshenko—who made “Army! Language! Faith!” one of his main reelection slogans—left office.

**D3** 0-4 pts

**Is there academic freedom, and is the educational system free from extensive political indoctrination?**

**3/4**

A 2014 law dramatically reduced the government’s control over education and allowed universities much greater freedom in designing their own programs and managing their own finances.

A law adopted in 2017 was designed to align the country’s education system with those in the European Union (EU), but it drew criticism for provisions that mandate the use of Ukrainian as the primary language of instruction in most publicly funded secondary schools by 2020, affecting numerous schools that currently teach in minority languages.

**D4** 0-4 pts

**Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?**

**3/4**

Ukrainians generally enjoy open and free private discussion, although the polarizing effects of the conflict have weighed on political expression, especially when it relates to questions of individual and national identity. Heated exchanges in the media and instances of violence against those expressing views considered controversial are not uncommon, likely contributing to self-censorship among ordinary people.

## **E. Associational and Organizational Rights**

**E1** 0-4 pts

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**Is there freedom of assembly?****2/4**

The constitution guarantees the right to peaceful assembly but requires organizers to give the authorities advance notice of demonstrations. Ukraine lacks a law governing the conduct of demonstrations and specifically providing for freedom of assembly.

Threats and violence by nonstate actors regularly prevent certain groups from holding events, particularly those advocating equal rights for women and LGBT+ people. In 2019, a few high-profile LGBT+ rights assemblies and events proceeded in Kyiv, Odesa, Kryvyi Rih, and Kharkiv without serious violence, following significant international pressure on the authorities to allow them. However, several others were canceled or stopped due to threats or violence. Additionally, when police do provide protection, they often only protect the assembly itself, allowing participants to be attacked before and after the event.

**E2** 0-4 pts**Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work?****2/4**

Numerous civic groups emerged or were reinvigorated following the departure of Yanukovych in 2014, and many are able to influence decision-making at various levels of government. In 2019, the Ukrainian Constitutional Court struck down a law that had required leaders, staff, and contractors of nongovernmental organizations (NGOs) focused on corruption to submit asset and income declarations, winning praise from domestic and international observers. Populist lawmakers had used information made public through the law to smear the groups as working to harm Ukraine on behalf of malicious “foreign agents.”

However, in recent years NGOs have faced growing threats of violence, and those responsible are rarely brought to justice. In June 2019, five men were convicted of “inflicting severe bodily harm” for the 2018 attack on Kateryna Handzyuk, an anticorruption activist who monitored police activities in Kherson; she died that year of wounds inflicted when she was attacked with sulfuric acid. Activists continue to

demand that authorities investigate who ordered the attack and bring them to justice. Ukraine's Center for Civil Liberties reported 36 attacks on activists and journalists in the first five months of 2019.

**E3** 0-4 pts

**Is there freedom for trade unions and similar professional or labor organizations?**

**3/4**

Trade unions function in the country, but strikes and worker protests are infrequent, as the largest trade union, stemming from the Soviet-era labor federation, lacks independence from the government and employers in practice. Factory owners are still able to pressure their workers to vote according to the owners' preferences.

## F. Rule of Law

**F1** 0-4 pts

**Is there an independent judiciary?**

**1/4**

Ukraine has long suffered from corrupt and politicized courts, and recent reform initiatives aimed at addressing the issue have stalled or fallen short of expectations. A new High Anti-Corruption Court began operations in September, but has yet to yield results.

**F2** 0-4 pts

**Does due process prevail in civil and criminal matters?**

**2/4**

Although due process guarantees exist, in practice individuals with financial resources and political influence can escape prosecution for wrongdoing.

The government has made little progress in meeting domestic and international demands to investigate and prosecute crimes committed during the last months of the Yanukovych administration in late 2013 and early 2014, which included the shooting of protesters. This lack of accountability saw renewed attention in 2019, when the government exchanged individuals accused of committing serious crimes during the Euromaidan protests for Ukrainians held by Russia and Russian-backed separatist forces in the country's east.

According to statistics from the World Prison Bureau published in 2019, about 36 percent of prisoners are in pretrial detention.

**F3** 0-4 pts

**Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?**

**2/4**

The security situation is generally stable outside of the occupied areas. However, there have been a number of high-profile assassinations and assassination attempts in recent years, some of which targeted political figures. Conditions in many prisons are squalid and dangerous.

*Score Change: The score improved from 1 to 2 because Eastern Donbas was assessed separately for the first time in this edition of Freedom in the World, meaning the scores for Ukraine no longer reflect conditions in that territory.*

**F4** 0-4 pts

**Do laws, policies, and practices guarantee equal treatment of various segments of the population?**

**2/4**

A 2012 law introduced a nonexclusive list of grounds on which discrimination is prohibited. Gender discrimination is explicitly banned under the constitution. However, these protections are inconsistently enforced, and the Romany minority and LGBT+ people experience significant discrimination in practice. Roma and LGBT+ people and groups generally only receive police protection or justice for attacks

against them when there is intense pressure from civil society or international observers. Rights groups have reported that employers openly discriminate on the basis of gender and age.

## G. Personal Autonomy and Individual Rights

**G1** 0-4 pts

**Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?**

**3/4**

Freedom of movement is generally not restricted in areas under government control. Ukraine's cumbersome system requiring individuals to be legally registered at an address to be able to vote and receive some services, however, creates a barrier to full freedom of movement, in particular for the displaced and those without an address where they could be registered for official purposes.

**G2** 0-4 pts

**Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?**

**2/4**

The government has taken steps to scale back regulation of private businesses in recent years. However, the business environment is negatively affected by widespread corruption, and a moratorium on the sale of agricultural land remains in effect. However, in November 2019, lawmakers approved on first reading a draft law that would repeal this restriction.

**G3** 0-4 pts

**3/4**

Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?	
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The government generally does not restrict social freedoms, though same-sex marriages are not recognized in Ukraine. Domestic violence is widespread, and police responses to the few victims who report such abuse are inadequate.

**G4** 0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic exploitation?	<b>2</b> /4
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The trafficking of women domestically and abroad for the purpose of prostitution continues. IDPs are especially vulnerable to exploitation for sex trafficking and forced labor.

Labor laws establish a minimum wage that meets the poverty level, as well as a 40-hour work week and workplace safety standards. However, workers at times go unpaid, and penalties for workplace safety violations are lenient.



#### On Ukraine

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#### Country Facts

Global Freedom Score

**60/100**    **Partly Free**



Internet Freedom Score

**61/100**    **Partly Free**

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*Other Years*

2021

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